

**RESOLUTION
THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 2017-005014-(5)
ADVANCE PLANNING NO. RPPL2019003022**

WHEREAS, pursuant to Article 1 of Chapter 4 of Division 1 of Title 7 of the Government Code of the State of California (commencing with Section 65800), Los Angeles County ("County") is authorized to adopt amendments to Title 22 of the County Code ("Zoning Ordinance");

WHEREAS, in 1995, the County adopted the Acton Community Standards District ("CSD"), a supplemental district to provide a means of implementing special development standards contained in adopted area plans within the unincorporated County;

WHEREAS, the County proposes Project No. R2017-005014-(5), Advance Planning No. RPPL2019003022, which amend the Acton CSD related to the term "new drive-through establishments;"

WHEREAS, the Regional Planning Commission of the County ("Commission") has conducted a public hearing in the matter of an amendment to the Zoning Ordinance of the County Code relating to the Acton CSD Update on July 17, 2019; and

WHEREAS, the Regional Planning Commission finds as follows:

1. On June 6, 2018, the County Board of Supervisors ("Board") adopted an amendment to prohibit new drive-through establishments with the Acton CSD area ("2018 Amendment"), which went into effect on July 6, 2018.
2. On April 16, 2019, the County Board of Supervisors ("Board") instructed the Director of Planning to pursue an amendment to the Acton CSD to clarify that the term "new drive-through facility or service" as set forth in the Acton CSD was not intended to include: 1) any drive-through facilities that were already in existence at the time of the enactment of the 2018 Amendment; or 2) any proposed drive-through facilities that were approved by the Board prior to the enactment of the 2018 Amendment.
3. The unincorporated community of Acton is within the Fifth Supervisorial District of the County. This area is bordered by the unincorporated community of Agua Dulce on the west, the Angeles National Forest to the south, the unincorporated Antelope Valley ("AV") to the east, and the City of Palmdale to the north.
4. The Acton CSD was established in 1995, with subsequent amendments in 2012 and 2018, as a supplemental district to provide a means of implementing development standards that address concerns unique to the community of Acton. The Acton CSD was established to protect and enhance the rural, equestrian and agricultural character of the community and its sensitive features, including

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significant ecological areas, floodplains, hillsides, National Forest, archaeological resources, multipurpose trail system, and Western heritage architectural theme.

5. The project is a clarification of the language within the existing Acton CSD related to “new drive-through establishment.” No land use designation or zone changes are proposed as part of this CSD amendment. This amendment is applicable only to properties within the boundary of the Acton CSD area.
6. The Antelope Valley Area Plan (“Area Plan”), a component of the County General Plan, was adopted by the Board on June 16, 2015 after extensive community and stakeholder participation. The Area Plan contains a chapter on Community-Specific Land Use Concepts, which further describes communities in the AV as part of the Area Plan’s vision and Rural Preservation Strategy.

The Area Plan’s Rural Preservation Strategy is a framework of rural town centers, rural town areas, rural preserve areas, and economic opportunity areas, that identify environments within the AV to preserve the rural character of the region, conserve environmental resources, and protect residents from potential hazards while allowing for additional growth and development. Economic opportunity areas and rural town centers are intended for more intense or focused development than rural town areas and rural preserve areas.

The Area Plan describes Acton as a community concerned with the urbanization of the area, and wishing to remain a rural community with a unique identity. Most of Acton is considered a rural town area with surrounding rural preserve area. The community has a rural town center that is intended to serve the daily needs of residents and provide local employment opportunities. Other areas of Acton outside the rural town center, are also designated to acknowledge existing uses and additional commercial services and local employment opportunities. The intent of these designations is to allow low-intensity local commercial uses that serve community residents and to prohibit high-intensity regional commercial uses that serve travelers along State Route 14 (SR-14).

7. The commercial areas within Acton, including those surrounding the Crown Valley Road on-ramp and off-ramp of SR-14, are mostly zoned C-RU (Rural Commercial). In Zone C-RU, drive-through establishments are currently allowed with a Conditional Use Permit (“CUP”). However, all new drive-through establishments within the Acton CSD, including those areas zoned C-RU and M-1 (Light Manufacturing), were prohibited as part of the 2018 Amendment.
8. The Acton CSD is a supplemental district within the Zoning Ordinance to provide a means of implementing development standards that address concerns unique to the community of Acton. The Acton CSD was established to protect and enhance

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the rural, equestrian and agricultural character of the community and its sensitive features, including significant ecological areas, floodplains, hillsides, National Forest, archaeological resources, multipurpose trail system, and Western heritage architectural theme. This proposed amendment clarifies the term “new drive-through establishment.” Pursuant to the provisions of Sections 22.222.180 of the County Code, the public hearing notice was published in the Acton Agua Dulce Weekly News on June 13, 2019. Staff also contacted affected properties and stakeholders, and individuals on the relevant Zoned District Courtesy Lists via mailed courtesy postcard notices on June 13, 2019. Staff also made project information available at the Acton / Agua Dulce Library, the Antelope Valley Field Office, and at Regional Planning downtown headquarters starting June 13, 2019.

9. One comment was received from the public for the Commission public hearing on July 17, 2019. The comment requested the hearing to be rescheduled or continued to a later date so the resident could attend.
10. Pursuant to California Environmental Quality Act (“CEQA”) Statute §21065 and Guideline §15060(c)(2) this project has no potential to result in either a direct or indirect physical change in the environment and therefore is not subject to CEQA. CEQA Guideline §15060(c)(2) states that a project is not subject to CEQA if the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment. This amendment defines a term in the Acton CSD to clarify language new drive-through establishments subject to the prohibition. Because the amendment is not changing the standards for establishments or otherwise amending the development standards for those existing drive-through establishments, there is no potential to result in a direct or indirect physical change in the environment

If determined otherwise, this proposed amendment would be exempt pursuant to CEQA Guideline §15061(b)(3), which states that a project is exempt from CEQA if the activity is covered by a general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. This amendment would not have the potential for causing a significant effect on the environment because it clarifies the term “new drive-through establishment” in the Acton CSD, and does not change the standards that apply to existing or approved drive-through establishments.

11. On July 17, 2019, the Commission held a duly-noticed public hearing for the project.

12. HOLD FOR HEARING PROCEEDINGS

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13. After hearing all testimony, the Commission closed the public hearing and recommended to the Board that the Board approve the CSD amendment.
14. The Commission finds that the proposed amendment to the Zoning Ordinance is not subject to CEQA, pursuant to the CEQA guidelines and statutes.
15. The Commission finds that the CSD update is consistent and implements the goals and policies of the adopted Area Plan. The Area Plan's community-specific vision for Acton is to accommodate low-intensity local commercial uses that serve community residents and prohibit high-intensity regional commercial uses that serve travelers along SR-14. This proposed amendment clarifies the language regarding new drive-through establishments within the Acton CSD.
16. The Commission finds that the proposed amendment to clarify the language regarding new drive-through establishments within the Acton CSD is consistent with the purpose of the Acton CSD.
17. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, Hall of Records, 320 West Temple Street, 13th Floor, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Community Studies North Section, Los Angeles County Department of Regional Planning.

NOW, THEREFORE, BE IT RESOLVED THAT, the Regional Planning Commission recommends to the Board of Supervisors of the County of Los Angeles as follows:

1. Hold a public hearing to consider Project No. 2017-005014-(5), Advance Planning No. RPPL2019003022, to amend the Acton Community Standards District;
2. Determine that proposed amendment to the Zoning Ordinance is not subject to CEQA pursuant to CEQA guidelines and statutes;
3. Find that the proposed amendment is consistent with the goals and policies of the Antelope Valley Area Plan; and therefore
4. Adopt Advance Planning No. RPPL2019003022.

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I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on July 17, 2019.

Rosie O. Ruiz, Secretary
County of Los Angeles
Regional Planning Commission

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By

Elaine Lemke
Assistant County Counsel

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

SMT:RDM
7/2/19